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Frasure

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PATRICE A. MISSUD, JULIE D.  
MISSUD,

Case No. C07-2625 JL

**Plaintiff,**

vs.

D.R. HORTON, INC.; DHI MORTGAGE COMPANY, LTD, LP.; DONALD HORTON; DONALD TOMNITZ; MICHAEL MASON; DANIEL CALLIHAN; ANNIE SCHANKIN; JAMES FRASURE; and DOES 1-200.

## Defendants.

**DECLARATION OF JAMES FRASURE IN  
SUPPORT OF MOTION TO DISMISS**

Date: September 5, 2007  
Time: 9:30 a.m.  
Judge: Hon. James Larson

1 I, James Frasure, declare:

2 1. I am, and at all times relevant herein was, employed by D.R. Horton, Inc. as a  
3 Vice-President and as the President of the Las Vegas, Nevada division of D.R. Horton, Inc. I  
4 have personal knowledge of the matters set forth herein and if called upon could testify  
5 competently concerning them.

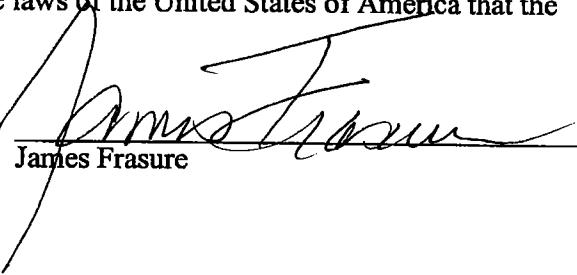
6 2. I had no involvement in the day to day handling of the sale of the residence located  
7 at 1353 Romanesca Drive, Henderson, Nevada, to Mr. Missud and his wife, and I was not the  
8 supervisor of the sales office that handled the sale of the home.

9 3. I reside and work in the state of Nevada and have done so for more than 14 years.

10 4. I have never worked in California. I have never lived in California. I have no  
11 connections whatsoever with California.

12 I declare under penalty of perjury and the laws of the United States of America that the  
13 foregoing is true and correct.

14 Dated: July 27, 2007

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James Frasure

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